



**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF:

*Zalipsky et al.*

APPLICATION NO.: 10/714,085

FILED: November 14, 2003

FOR: **METHOD FOR TREATING MULTI-DRUG RESISTANT  
DRUG**

EXAMINER: Kishore

ART UNIT: 1615

CONF. NO: 9528

06/15/2007 EHAILE1 00000030 10714085

01 FC:1814

130.00 OP

**Terminal Disclaimer**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

~~06/15/2007 EHAILE1 00000027 10714085~~

~~01 FC:1814~~

~~130.00 OP~~

Sir:

Alza Corporation, Assignee of an undivided share of the entire right, title and interest in the above-identified patent application by virtue of an Assignment executed by Samuel Zalipsky on October 3, 2006, and Yissum Research Development Company of the Hebrew University of Jerusalem, Assignee of an undivided share of the entire right, title and interest in the above-identified patent application by virtue of an Assignment executed by Alberto Gabizon on April 9, 2006, hereby disclaim, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. § 154 to § 156 and § 173, as presently shortened by any terminal disclaimer, of U.S. Patent Number 6,342,244, issued January 29, 2002; of U.S. Patent Number 6,365,179, issued April 2, 2002; of U.S. Patent No. 6,849,270, issued February 1, 2005; and of U.S. Patent Number 6,984,396, issued January 10, 2006.

The owners hereby agree that any patent so granted on the instant application shall be enforceable only for and during such period that it and the above-listed patents and/or patent applications are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owners do not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. § 154 to § 156 and § 173 of the above-listed patents and/or applications, as presently shortened by any terminal disclaimer, in the event that said patent(s)/application(s) later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R.

§1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

1. Authority of Undersigned


The undersigned is an attorney or agent of record.

2. Fee Payment

- ☒ A check for \$130.00, which covers the Terminal Disclaimer fee under 37 C.F.R. § 1.20, is enclosed.

Respectfully submitted,  
Perkins Coie LLP

Date: June 13, 2007

  
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